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May 26, 2021

By ECF

Honorable Paul A. Engelmayer
United States District Judge
Eastern District of New York
Sitting by designation
40 Foley Square
New York, NY 10007

Re: *United States v. Lucio Celli*, 19 Cr. 127 (PAE)

Your Honor:

I write with Pretrial Services' and the government's consent respectfully to request that the Court modify Lucio Celli's bail to replace home detention with home curfew and electronic monitoring as directed by Pretrial Services. Mr. Celli pled guilty on May 7 to one count of transmitting a threat and his sentencing is scheduled for August 17.

Mr. Celli was released on bail on March 29, 2019. He has appeared regularly in court for over two years and he is not a flight risk. He is enrolled in outpatient treatment and, save for one relapse during a high stress period last month, he has generally abided by his release terms for the past seven months. Most of the behavior that troubled Pretrial Services in the past occurred when Mr. Celli was at home. Allowing him to leave his home to take his niece and nephew to the mall or the movies on hot days, go for spontaneous walks, and go to the gym without preclearance from Pretrial, will all promote the kinds of alternative approaches to stress that we are trying to instill. The plea agreement drafted by the government contains many proposed supervised release terms, but location monitoring is not among them. I respectfully submit that it makes sense, before Mr. Celli is sentenced, to provide an opportunity for him to demonstrate that he can responsibly handle more freedom of movement. Given his general compliance the past one half year, and that he is neither charged with nor suspected of stalking or physically endangering anyone, a home curfew with electronic monitoring is now among the "least restrictive" combination of conditions that can ensure his return to court and the community's safety. 18 U.S.C. § 3142(c)(1)(B).

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I have conferred with Pretrial Services Officer Ramel Moore who consents to Mr. Celli being switched to a “home curfew with electronic monitoring as directed by Pretrial Services.” Assistant United States Attorney Anna Karamigios advises me that she defers to Pretrial’s position.

For the foregoing reasons, I respectfully request that the Court endorse this letter to modify Mr. Celli’s bail from home detention to home curfew with electronic monitoring as directed by Pretrial Services. I am available to answer any questions. Thank you for your consideration.

Respectfully submitted,

/s/ Benjamin Silverman

Benjamin Silverman

Attorney for Lucio Celli

cc: Counsel of Record (by ECF)

Pretrial Services Office Ramel Moore (by email)

Pretrial Services Officer Leo Barrios (by email)